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President Truman's So-Called Civil Rights Program. 1948 March 17.

Strom Thurmond

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President Truman’s So-Called Civil Rights Program

STATEWIDE RADIO ADDRESS OF

J. STROM THURMOND
GOVERNOR OF SOUTH CAROLINA

BEFORE THE COLUMBIA DEMOCRATIC PARTY RALLY

COLUMBIA, SOUTH CAROLINA

MARCH 17, 1948
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Fellow South Carolinians:

Before I enter on the discussion of the serious domestic matters with which we as Southerners are so gravely concerned, I want to say that I for one am glad that the President has today spoken out in favor of strengthening the power of our national defense, and I hope that the Congress will take immediate action to see that the Soviet Government will understand clearly our determination not to lose the peace which was so hard won in the war. I sincerely believe the people of Russia prefer not to have war. If the Soviets are convinced that we mean business, and have the military might to back up our position, they will not continue wiping out the liberty of free peoples in Europe.

Here at home it is with grave concern for the future of the principles of our own government and our own way of life that I speak to you tonight.

Late in 1946, the President of the United States appointed a committee, called the President's Committee on Civil Rights. About a year later this committee made its report. The action of the committee could have been predicted in advance. This report contained every controversial racial issue which has been proposed against our way of life since the days of Reconstruction, when the bitterness of Northern Republicans was directed against the defeated South in the aftermath of war. It also contained some new and foreign concepts more appropriate to the European countries whence many of their originators so recently have fled to our shores, seeking safety from oppressive governments.

This report was published and then gathered dust in the White House, until a Congressional election came up in Mr. Ed Flynn's New York Bronx. A Wallace candidate was about to win. Pressure was being applied on the White House for action, not only to influence the Bronx election but also to thwart Henry Wallace's drive for the votes of small pressure blocs. The White House advisers dusted off the Civil Rights report, and from it came the most astounding Presidential message in American history.

The message proposed the enactment of laws clearly beyond the power of Congress to pass, under the Constitution. Under our form
of government, the Federal Government can do only what the Constitution grants it the power to do. All other powers are reserved to the States of the Union, or to the people. In this way we live under a system of checks and balances upon governmental power, which tends to make government remain the servant of the people, and keeps it from seeking to become their master.

One of the proposals is the anti-poll tax law. We all know that the poll tax does not burden the right to vote. It is a revenue measure which I have advocated that we repeal in this State. Only seven States now have a poll tax voting requirement, and the proposed Federal law would accomplish so little, that many think it harmless legislation.

However, the precedent which would be set by the Congressional assertion of the right to pass this law is a dangerous one. If Congress can use this law to establish the power to deal with the right of the American people to vote, it can establish a form of Federal suffrage. It can exercise control over the ballot boxes of the Nation. Ultimately it could have much to say not only about who would be President but also who would be in the United States Senate and House of Representatives. The States would thus lose their effective voice in the national legislative halls as they did in Reconstruction Days when ballot boxes were surrounded by Federal bayonets. The way would be open for the conversion of our system of popular government into a centralized and concentrated government in Washington, far distant from the people governed by it. Such power was deliberately withheld from the Federal Government when the Constitution was adopted. It has always been felt that the right of local self-government depended upon State regulation of the right of suffrage.

Another law recommended is an anti-lynching law. The Federal Government does not have the Constitutional right to deal with crimes occurring within the States. It can deal only with Federal crimes. The Federal Courts have uniformly held that there is not even a Federal common law. The States, in governing themselves, are responsible for public peace and order. All the States have laws against murder. Many have specific laws against lynching, which is one of the worst forms of murder.

The proposed law is unnecessary because enlightened public opinion has virtually stamped out this crime. It has never been a sectional crime, although some would create the contrary impression for
propaganda purposes. In at least one year, 75% of the persons lynched throughout the United States were white. Under the emotional appeal derived from the horror felt for this crime by every decent person in every section of the Nation, the proposal is made that the Congress assert the right to deal with crimes within the States. This would be a radical invasion of the right of local self-government. It would be a bold extension of the power of the Federal Government over the individual citizens. Nothing would be more effective in bringing about the destruction of the governmental functions and prerogatives of the States of the Union. The division of powers between the Federal Government and the States provided in the Constitution would be virtually destroyed, if this precedent were created and thereafter carried to its possible conclusion.

Another proposal is the legislation regulating employment, promotion and discharge of the employees of private business and industry within the several States. This legislation applies as much to our labor organizations as to our businesses and industries. It would enable the Federal Government to invade a local field clearly foreclosed to it by the Constitution. The bureaus and commissions created by it would be given power to harass and interfere with business, large and small, and to intrude into the policies and practices of labor unions.

There is no limit to the irritation and annoyance which would result throughout the Nation from this law. Every man’s private business would almost be made a public one. If he exercised his right to employ whom he pleased, he would always face the possibility of a call from a government agent, inquiring into why he did not hire someone else; he might be hauled before a Federal commission to explain himself; he might be ordered to stop choosing his employees as he saw fit, and to hire someone he did not want; he would not be allowed a jury trial on the issue of fact between him and the government; and his case would not even go to the Federal Court in his own State, but would be heard ordinarily in a court in another State. The mind of man can hardly conceive of more duress and apprehension than this would produce.

Does this sound like an American concept to you? Does this kind of thing coincide with your ideas of liberty and freedom which we have fought for and thought we had? If the government in Washington can pass this law, it will have like power to intrude itself into every phase of the daily lives of our people and regulate them in all things, large and small.
Another phase of the President's proposals deals with the field of separation of the races. The President dealt lightly with this subject, except as to interstate transportation facilities and in the District of Columbia, which is of common concern to all the States. But the committee's report clearly reveals the purpose and plan which his message enters upon. Chairman McGrath, the operating head of the Democratic Party, told the Southern Governors in Washington recently that other phases of the program could come along in later years, after we had accepted those contained in the President's message to Congress. In the committee's report, the following is stated:

"If reason and history were not enough to substantiate the argument against segregation, recent experiences further strengthen it. For these experiences demonstrate that segregation is an obstacle to establishing harmonious relationship among groups. They prove that where the artificial barriers which divide people and groups from one another are broken, tension and conflict begin to be replaced by cooperative effort and an environment in which civil rights can thrive."

We in the South know just how unsound this theory is. We know that the laws dealing with the separation of the races are necessary to maintain the public peace and order, where the races live side by side in large numbers. We know that they are essential to the protection of the racial integrity and purity of the white and Negro races alike. We know that their sudden removal would do great injury to the very people sought to be benefited. We also know that the solution of the racial problems of the South will follow the solution of its economic problems, and that we are making great strides in solving these problems. A little more practical help on economic lines, and a little less fallacious racial theory, would accomplish a great deal more for the improvement of the level of life and opportunity of all our people of whatever race.

Only recently, the Southern Governors responded to a call to save the Meharry Medical College in Nashville, Tennessee. Meharry is one of the two Negro medical colleges in the country. They responded to this call without hesitancy, because the cause was a worthy one. It was particularly necessary that Meharry be saved. Without it very few Negroes could get in the non-segregated medical schools in the North and East to get a medical education. It was also necessary because those claiming the desire to do so much for the Negro race apparently would not save it.
Observe how the President's committee insults the people of the South in this statement of their report:

"It is a sound policy to use the idealism and prestige of our whole people to check the wayward tendencies of a part of them."

They have the idealism and prestige; we in the South are the wayward. It was regarded as so wayward for the Southern Governors to help save Meharry Medical College for the education of Negro doctors to serve their people. I was notified by the Negro president of the South Carolina State Conference of the National Association for the Advancement of Colored People, that the Conference would contest this setup and plan, if and when adopted by the General Assembly of South Carolina. This same individual, who professes to be a leader of his race, wrote me a letter threatening me with political reprisals for my activities at the Tallahassee Southern Governors' Conference.

The most alarming part of the President's program is the creation of a Federal police system to enforce it. The concept of a Federal police force working within the States is utterly foreign to the Constitution of the United States. Gestapo-like, its agents would rove throughout the nation; policing elections; meddling with private businesses; intervening in private lawsuits; breeding litigation; keeping the people in a state of duress and intimidation; and bringing to our people all of the potential evils of a so-called police state. We have only recently seen in Europe how quickly liberty perishes under such a government.

The enactment of President Truman's program would establish precedents for Federal control of elections and ballot boxes; Federal legislation as to crimes within the States; Federal control and supervision of private businesses and labor unions in purely State and local matters; Federal punishment of those States which do not follow the Federal command to end separation of the races, by withholding from them their share of Federal funds collected from their taxpayers under general tax laws; and a Federal police force to let the people know that their lives are no longer their own, under local self-government, but are henceforth subject to constant surveillance from distant Washington.

It was in protest against such outrageous proposals to change the American form of government and alter the American way of life, in violation of the Federal Constitution, that I made a motion before
the Southern Governors at Tallahassee that they carefully consider the problems of our States arising from these proposals.

My motion was unanimously adopted, and the action there was a spark which has kindled a fire that is sweeping over the Southland. A committee was appointed to investigate the whole matter and report back to the Conference within 40 days.

In the course of our work we communicated with party leaders in the various Southern States. We sought the viewpoints of the Democratic Senators and Members of Congress from the South. We surveyed the opinion of the rank and file Democrats in every walk of life, the people who have furnished the votes which for many decades have made the South solid for the Democratic Party.

Our inquiry has satisfied us that the virtually unanimous will of the people of the Southern States is to take every possible effective action within their power. The people want to prevent not only the enactment of the proposed legislation, but also to defeat those who have proposed it, and any others advocating it.

We saw Chairman J. Howard McGrath of the Democratic National Committee. We asked him whether, at a time when national unity is so vital to the solution of the problem of peace in the world, he would use his influence as party chairman to have this legislation, which tends to divide the people of the Nation, withdrawn from consideration by the Congress. He flatly refused this request. Subsequently he announced the candidacy of President Truman for nomination by the Democratic Party on this program.

We reported to the Southern Governors' Conference on the whole matter in Washington last Saturday. We set forth the fundamental governmental principles at stake. We stated that it was our belief, and that of the Southern people, that these principles transcend party lines and personalities, and cannot be surrendered under any circumstances. We proposed to the Southern Governors a resolution representing the best ways of meeting the assault upon our States. This resolution placed the Governors on record as repudiating the present national leadership of the Democratic Party in sponsoring the so-called Civil Rights Program. The Governors recommended that the people of the Southern States fight to the last ditch, to prevent the nomination of any candidate for President or Vice-President who advocates such invasions of State sovereignty. They also recommended to the people of the South that they see to it that their Electoral College votes are
not cast for a candidate advocating such a program. Each of the Governors pledged his influence in his respective State to these ends.

The resolution also contained suggested courses of procedure to make the opposition of the people effective. It recommended that the State Conventions give written notification to the National Convention, in advance, that the party membership in the several States will not support any nominee who advocates the proposed outrageous invasions of State sovereignty. This would enable our delegates to go to the National Convention and participate without being open to the charge of bad faith if later the party membership does decline to support such a nominee. This resolution also recommended a fight for the restoration of the two-thirds rule; the naming of the State's Presidential electors after the National Convention has been held and the Democratic nominee is known; and a caucus of Presidential electors from the Southern States, so that they can center on a candidate who represents our belief in the fundamental governmental principles upon which this Nation was founded. It was recommended that the party leaders in all the Southern States meet soon and work out plans for direct, positive, effective and aggressive joint action. In this way the political strength of the South can be exerted to the fullest in national party councils and in the National Convention.

It was recommended in the resolution that the Democratic Party in the several States continue to function on all other levels, including the election of local, County and State officers, and United States Senators and Congressmen, without regard to the action which may be taken in the State in reference to the election of Presidential and Vice-Presidential electors.

This resolution was adopted by the Southern Governors' Conference, and the matter is now in the hands of the party leaders and party membership in the respective States. I am confident that they will work together to the end that the grave issues which confront our people will be met with determination and courage. We may as well have a showdown once and for all. If we carry through, we shall be respected in the future; we shall never be taken for granted again.

In taking the stand we took at Tallahassee and at Washington, the Governors of the South were acting upon the highest Democratic Party precedent. The Democratic Party is the party of Thomas Jefferson and Andrew Jackson. No two men in the history of this Nation were more devoted to the principle that the sovereignty of the States of the Union is essential to the freedom of the people.
Jefferson observed:

“When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another, and will become as venal and oppressive as the government from which we separated.”

Jefferson said that “the States should be watchful to note every material usurpation on their rights; to denounce them as they occur in the most peremptory terms;” and “to protest against them as wrongs.”

Jackson, as President, took the most drastic action in the whole of American history to uphold State sovereignty. When the Federal Courts held that they had jurisdiction of a private lawsuit against a sovereign State without its consent, Jackson refused to enforce the decision. On the contrary, he brought about the adoption of the Eleventh Amendment to re-declare State sovereignty, which the Founding Fathers thought had already been protected in the Bill of Rights.

We here in the South are held up for attack and abuse because we dare to believe that a State still has rights under the Constitution. We are insulted by the Republican Party because it has had no chance of carrying Southern States. We are insulted by the Democratic Party because the leaders have concluded we are always in their bag. In fact, we are the victims of blind loyalty to the Democratic Party.

The South has kept the fires of Democracy burning when other sections deserted the party. We have consistently kept Democrats in Congress and held the party organization together. Without the South the Democratic Party long ago would have ceased to function as a major political party. We would prefer to work out our problems within the party, if we can do so, without surrendering principles.

In every Presidential election since the War Between the States, save one, the Democratic nominee has gone into the election with the knowledge and assurance that he had from the South almost one-half of the necessary electoral votes to make him President.

In return for this unswerving loyalty and devotion, we of the South have asked little. We have stood by the Democratic Party, and we expected the Democratic Party to stand by us in preserving our institutions and customs, which are absolutely essential to peaceful
living in our section and to the continued development and progress of the South. Never did we dream that a Democratic President would stab us in the back, and in one fell swoop seek to impose Federal laws as detrimental to the South as those proposed in the Reconstruction period by the Republican Party. What makes the stab more humiliating is the fact that the hand that held the dagger received its power not from an election by the people, but from a minority which, through pressure applied at the 1944 Democratic Convention, blocked the nomination of a Southerner for Vice-President. We know this from the recent book of Ed Flynn, the Bronx political boss, who makes no bones about his part in this political intrigue.

This Nation has come under the domination of small pressure groups, which hold the balance of power in a few large pivotal States. These groups gain their power by the Electoral College. Voting in a bloc, they use their balance of power, under our two-party system, to throw the electoral votes of their States one way or the other and elect or defeat a President. If necessary, we must resist their assault upon us by availing ourselves of the Electoral College.

In their determination to win the support of these pressure groups, the leaders of both political parties apparently are willing to sacrifice every fundamental principle of government on which the liberty of our people depends.

No other President, either Democratic or Republican, has ever made such recommendations as those contained in the President’s so-called Civil Rights Message to Congress. It makes crystal clear that this small minority of votes and pressure blocs in doubtful States have become so powerful that it can force political parties, and even a President of the United States, to play its opportunist game.

There are those who say, where can we go? Their point is that the Republicans have also advocated similar measures, and we cannot go with them. The answer is, that we can show we are no longer politically enchained to those who have betrayed our trust. We can establish beyond question our autonomy and self-respect, so that no one will ever again assume that we have none. We can attest our faith in principles of government which can never be willingly surrendered by a people who intend to remain free and self-governing. We can sell our sound case to the people of the Nation, Republican and Democrat alike, so that we shall not fight alone in resisting encroachments upon our rights by power-seeking Federal bureaucrats. We can center upon a true Democrat, wherever he may live, perhaps an out-
standing Southerner, who believes in State sovereignty as we do, and whom we can honor and place in history with our Electoral College votes. If the Southern States stand together in the Electoral College, we may deprive the candidates of the major political parties of a majority. We may thereby throw the election into the House of Representatives, where each State has one vote and an equal influence on the outcome. In that event we might possibly succeed in electing our candidate to the office of President of the United States.

Is the fight worth while? On principle, we can do nothing else and still remain true to our heritage. No fight was ever won by staying out of it. Our cause is right and just. We shall honor ourselves by pressing it to the end. If we lose today, we shall not fail in the final result.

I know in my heart what the South Carolinians who have gone before us would do in the crisis which faces us. Let us be worthy of the trust and the heritage which they have handed to our care.